GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – P.R. & R.D. Department – Disciplinary proceedings initiated against Sri G.Sugunaseela Rao, Deputy Executive Engineer, Panchayat Raj (Retd.) for violation of APCS(Conduct) Rules, 1964 – Charges framed - Case entrusted to Commissioner of Inquiries –Orders of APAT dt: 28.11.2011 in O.A.No. 8892/2011 filed by the individual – Orders of A.P.High Court dt: 28.01.2014 in WPMP No. 1586 of 2014 in WP No. 1343/2014 filed by the Government - Appointment of Inquiry Officer and Presenting Officer – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 351 **Dated: 22-06-2020**

Read the following:

1. From the DG, ACB, Letters Rc. NO. 128/RC.A.VVZ/95-S.12, dated: 10.03.1999 & 02.03.2000.
2. Govt. Memo No. 2278/Estt.III/A1/1996-7, PR&RD (Estt.III) Department, Dt: 30.03.2000.
3. From Sri G. Suguna Seela Rao, Deputy Executive Engineer (PR) (Retired), Srikakulam District, written statement of defence, dt: 15.02.2006.
4. G.O.Rt.No.1185 PR & RD (Vig.II) Dept., dated.25.08.2006
5. G.O.Rt.No.1812, PR&RD (Vig.II) Department, Dt: 18.12.2006
6. G.O.Rt.NO.1861, PR&RD (Vig.II) Department, DT: 11.12.2008
7. G.O.Rt.NO.440, PR&RD (Vig. II) Dept., DT: 15.03.2012
8. G.O.Rt.No.500, PR&RD (Vig. II) Dept. Dt:12.03.2014
9. G.O.Rt.No.1000, PR&RD (Vig.I) Dept., Dt: 14.11.2014
10. G.O.Rt.No.719, PR&RD (Vig.I) Dept., Dt:t:22.07.2015
11. U.O. Note No.22/C.O.I-PKS/2018, dated: 15.11.2018 from P.K. Sarangi, IFS, Commissioner of Inquiries, G.A. Department.

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O R D E R:-

In the reference 2nd read above, Government framed article of charges against Sri G.Sugunaseela Rao, Deputy Executive Engineer (PR), Srikakulam District for committing misconduct and failure to obtain prior permission from the competent authority while acquiring movable and immovable assets either in his name or in the name of his family members and violated A.P.C.S (Conduct) Rules, 1964, with a direction to submit his written statement of defence.

2. In the reference 3rd read above, charged officer submitted his written statement of defence and denied the charge.

3. Since the charged officer denied the charge, Government have decided to conduct regular inquiry into the matter. Accordingly, in the reference 4th read above, Government appointed Dr. A.Madhusudhana Reddy, IAS (Retd.) Commissioner of Inquiries, General Administration

Department as the Inquiring Authority under Rule 20 (2) of A.P.C.S (CC&A) Rules, 1991 to conduct inquiry into the matter. Smt. K. Sarna Seshu, Advocate was appointed as Presenting Officer under Rule 20 (5)(c) of above said rules to present the case before the Inquiring Authority on behalf of the Government.

4. The case has been re-assigned from time to time due to re-assigning the subject to another inquiry authority / due to completion of term of service by the previous inquiry authority etc., Accordingly, Government appointed the following Inquiring Authorities from time to time vide references 5th to 10th read above in the case, on administrative grounds :-

Sl. No.	G.O & Date .	Name of the Member C.O.I appointed	Name of P.O appointed
1	G.O.Rt.No.1185, Dt: 25.8.2006.	Sri A. Madhusudhan Reddy, IAS (Retd), C.O.I	Smt. K. Swarna Seshu, Advocate
2	G.O.Rt.No.1812, Dt:08.12.2006	Re-assigned to : Dr. A. Prasanta Mahapatra, IAS, Commissioner, C.O.I	DO
3	G.O.Rt.No.1861 Dt: 11.12.2008	Re-assigned to: Dr. Subhendru Bhattacharya, IAS, Commissioner, COI	DO
From 2011 year onwards, the charged officer filed OA No. 8892/2011 in the APAT aggrieving the delay of proceedings.			
4	G.O.Rt.No.440, Dt: 15.03.2012	Re-assigned to: Sri Jitender, IPS, C.O.I(J), GAD	Do
5	G.O.Rt.No.500, dt: 12.3.2014.	Re-assigned to: Sri C. Sammi Reddy, IFS (Retd.) COI, GAD	DO
6.	G.O.Rt.No.1000, dt: 14.11.2014	Re-assigned to: Sri K. Sahadeva Reddy, JS to Govt. (Retd.) C.O.I, GAD	DO
7	G.O.Rt.NO.719, dt: 22.7.2015	Re-assigned to : Sri S.A.Huda, IPS, COI, GAD	DO

5. Aggrieved by the pendency of disciplinary proceedings, Sri G.Sugunaseela Rao, Deputy Executive Engineer (PR) (Retired)

approached the A.P. Administrative Tribunal in O.A.No.8892/2011. The Hon'ble Tribunal in its orders dt: 28.11.2011, while disposing the above O.A, among others, have directed the respondents to finalise the disciplinary proceedings within one month from the date of receipt of order failing which the Charge Memo No.2278/Estt.111/ A1/96-7, dt.30.3.2000 issued by the respondent shall be deemed to be dropped.

6. Further, the charged officer also filed another O.A.No.1453/2013 aggrieving about issuing notice by the Inquiring Authority. Subsequently, the Commissioner of Inquiries (Sri P.K.Sarangi, IFS, Commissioner of Inquiries, G.A. Department) to whom the case has been re-assigned for appointment as Inquiry Authority, has returned the case along with records to Government, vide reference 11th read above, due to the APAT orders.

7. Government after examination of the matter, have decided to file Writ Petition before the Hon'ble High Court of A.P against the orders of A.P.A.T dt: 28.11.2011 in O.A.No.8892/2011. Accordingly, filed W.P.NO. 1343/2014 before the Hon'ble High Court and the Hon'ble High Court in its orders dt: 28.01.2014 in WPMP No. 1586/2014 granted "interim suspension" as prayed for, pending further orders in W.P.No.1343/2014. In view of the above High Court orders, the Hon'ble A.P. Administrative Tribunal vide their orders dt:17.2.2017, closed the O.A.No.1453/2013 filed by the individual, subject to the result in WP No.1343/2013. The above W.P is pending before the Hon'ble High Court.

7. In view of the above circumstances stated above, Government have decided to entrust the case to the Commissioner of Inquiries to conduct inquiry into the charges framed against Sri G.Sugunaseela Rao, Deputy Executive Engineer (PR) (Retired) on violation of conduct rules in the matter, since it is **free to proceed against** the accused officer to conduct i**nquiry by the Commissioner of Inquiries.**

8. Accordingly, Government hereby appoint Sri T.A.Tripathi, I.P.S., Commissioner of Inquiries as the Inquiry Authority under Rule 20 (2) of Andhra Pradesh Civil Service (Classification, Control and Appeal) Rules, 1991 to conduct inquiry against Sri G.Sugunaseela Rao, Deputy Executive Engineer, Panchayat Raj (Retd.) on the allegations of violation of A.P. Civil Services(Conduct) Rules, 1964.

9. Government also hereby appoint Smt. K.Swarna Seshu, Advocate, as the Presenting Officer to present the case on behalf of the Government in support of the articles of charge against the said Government Servants before the Inquiry Authority on behalf of the Government under Rule 20(5) (c) of Andhra Pradesh Civil Services (classification, control and appeal) Rules, 1991. The Presenting Officer shall acquaint himself with the facts of the case and present the case before the Inquiry Authority effectively. She is also requested to obtain and produce documents if any required by the Inquiry Authority

during the course of inquiry without referring the matter to the Government.

10. The Inquiry Authority is requested to conduct Inquiry strictly in terms of rule 20 of Andhra Pradesh Civil Services (classification, control and appeal) Rules, 1991 and submit report as required under (18)(ii) of the above said Rules. He is also requested to complete the inquiry as expeditiously as possible keeping in view the long pendency and court matters involved in the case. The relevant records of the case as received through the reference 11th read above are herewith furnished.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To

1. Sri T.A.Tripathi, I.P.S. Commissioner of Inquiries, General Administration Department (w.e)
2. The Presenting Officer, Smt. K.Swarna Seshu, Advocate, Plot.No.184 F, Swarna Apartments, Kalyan Nagar, Hyderabad.
3. Sri G.Sugunaseela Rao, Deputy Executive Engineer (PR)(Retired) **through** the through the Engineer-in-Chief (PR), Vijayawada
4. The Engineer-in-Chief (Panchayat Raj), Vijayawada. (with a request to serve the orders on the individual and furnish the served copy)

Copy to:

5.The A.P. Vigilance Commission, Velagapudi. 6.The G.A (COI-R) Department.

SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER